

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES

V. NO. 04 10044 MLW

EDWIN SERRANO

MOTION FOR ENLARGEMENT OF TIME WITHIN WHICH
TO FILE DEFENDANT'S OBJECTIONS TO
THE PRESENTENCE REPORT

The Defendant, Edwin Serrano pursuant to Fed. R.Crim P., Rule 45(b), moves for

an enlargement of time within which to file the defendant's objections to the Presentence

Report from November 8, 2005 to November 22, 2005. As grounds for this Motion, he states as follows:

1. Rule 32(f) (Objecting to the Report) states in pertinent part.
(1) Time to Object. Within 14 days after receiving the presentence report, the parties must state in writing any objections, including objections to material information, sentencing guideline ranges, and policy statements contained in or omitted from the report.
2. This Court has discretion, for cause, to enlarge the time for filing said objections pursuant to Fed. R.Crim P. Rule 45(b) which states in pertinent part, "(1) In General: When an act must or may be done within a specified period, the court on its own may extend the time, or for good cause may do so on a party's motion made: "
3. In this case the defendant's attorney received said presentence report on October 26, 2005, which required therefore that he file said objections by November 8, 2005.
4. Prior to receiving said report, counsel had registered and paid for a week long seminar out of state operated by the National Association of Criminal Defense Lawyers, completion of which would constitute part of counsel's required training in accordance with the rules of The Committee for Public Counsel Services.

WHEREFORE, Defendant moves that this Court enlarge the time for the Defendant

to file objections to the presentence report relating to substantial sentencing issues.

/s/Roger Witkin
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DATED: October 28, 2005

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v. CRIMINAL NO. 04 10044 MLW

EDWIN SERRANO

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the within document was served upon the attorney of record for the United States, AUSA Peter K. Levitt, United States Probation Officer Tricia Marcy and a courtesy copy to the Clerk of Court by mail and electronic filing, which was e-filed this day.

/s/ Roger Witkin
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DATE: October 28, 2005